

(D) demonstrates adherence to stated goals, a philosophy, or a plan of operation, that fosters individual Indian economic and self-sufficiency opportunity, including programs that are appropriate to stated tribal goals of developing individual entrepreneurships and self-sustaining economic infrastructures on reservations;

(E) has been in operation for at least 3 years;

(F) holds accreditation with or is a candidate for accreditation by a nationally recognized accrediting authority for post-secondary career and technical education; and

(G) enrolls the full-time equivalent of not less than 100 students, of whom a majority are Indians.

(Pub. L. 88-210, §3, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 685; amended Pub. L. 110-315, title IX, §941(k)(2)(D)(i), Aug. 14, 2008, 122 Stat. 3466.)

REFERENCES IN TEXT

The Social Security Act, referred to in par. (10)(A)(iii), is act Aug. 14, 1935, ch. 531, 49 Stat. 620, as amended. Part A of title IV of the Act is classified generally to part A (§601 et seq.) of subchapter IV of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

The Indian Self-Determination and Education Assistance Act, referred to in par. (13)(D), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, as amended, which is classified principally to subchapter II (§450 et seq.) of chapter 14 of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 450 of Title 25 and Tables.

Act of April 16, 1934, referred to in par. (13)(D), is act Apr. 16, 1934, ch. 147, 48 Stat. 596, as amended, popularly known as the Johnson-O'Malley Act, which is classified generally to section 452 et seq. of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 452 of Title 25 and Tables.

PRIOR PROVISIONS

A prior section 2302, Pub. L. 88-210, §3, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3077; amended Pub. L. 107-110, title X, §1076(k), Jan. 8, 2002, 115 Stat. 2091, related to definitions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2302, Pub. L. 88-210, §3, as added Pub. L. 98-524, §1, Oct. 19, 1984, 98 Stat. 2437; amended Pub. L. 100-418, title VI, §§6131(b), 6134(b), Aug. 23, 1988, 102 Stat. 1511, 1512; Pub. L. 101-392, §3, Sept. 25, 1990, 104 Stat. 756, authorized appropriations for fiscal years 1991 to 1995 to carry out former subchapters I to IV of this chapter, prior to the general amendment of this chapter by Pub. L. 105-332.

AMENDMENTS

2008—Par. (33). Pub. L. 110-315 made technical amendment to reference in original act which appears in text as reference to section 1801(a) of title 25.

§ 2303. Transition provisions

The Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this chapter (as amended by the Carl D. Perkins Career and Technical Education Improvement Act of 2006) from any authority under the provisions of the Carl D. Perkins Vocational and

Technical Education Act of 1998, as in effect on the day before August 12, 2006. The Secretary shall give each eligible agency the opportunity to submit a transition plan for the first fiscal year following August 12, 2006.

(Pub. L. 88-210, §4, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

REFERENCES IN TEXT

This chapter (as amended by the Carl D. Perkins Career and Technical Education Improvement Act of 2006), referred to in text, is this chapter as amended by Pub. L. 109-270, Aug. 12, 2006, 120 Stat. 683.

The Carl D. Perkins Vocational and Technical Education Act of 1998, as in effect on the day before August 12, 2006, referred to in text, means Pub. L. 88-210, as amended, which was classified generally to this chapter, prior to being amended generally and renamed the Carl D. Perkins Career and Technical Education Act of 2006 by Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 683.

PRIOR PROVISIONS

A prior section 2303, Pub. L. 88-210, §4, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to transition provisions, prior to the general amendment of this chapter by Pub. L. 109-270.

Another prior section 2303, Pub. L. 101-392, §4, Sept. 25, 1990, 104 Stat. 758; Pub. L. 104-66, title I, §1041(f), Dec. 21, 1995, 109 Stat. 715, which related to the Interdepartmental Task Force on Vocational Education and Related Programs, was transferred to section 2308 of this title.

§ 2304. Privacy

(a) GEPA

Nothing in this chapter shall be construed to supersede the privacy protections afforded parents and students under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

(b) Prohibition on development of national database

Nothing in this chapter shall be construed to permit the development of a national database of personally identifiable information on individuals receiving services under this chapter.

(Pub. L. 88-210, §5, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

PRIOR PROVISIONS

A prior section 2304, Pub. L. 88-210, §5, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to privacy, prior to the general amendment of this chapter by Pub. L. 109-270.

§ 2305. Limitation

All of the funds made available under this chapter shall be used in accordance with the requirements of this chapter.

(Pub. L. 88-210, §6, as added Pub. L. 109-270, §1(b), Aug. 12, 2006, 120 Stat. 690.)

PRIOR PROVISIONS

A prior section 2305, Pub. L. 88-210, §6, as added Pub. L. 105-332, §1(b), Oct. 31, 1998, 112 Stat. 3082, related to limitation on use of funds, prior to the general amendment of this chapter by Pub. L. 109-270.

§ 2306. Special rule

In the case of a local community in which no employees are represented by a labor organization, for purposes of this chapter, the term “rep-